

130th General Assembly
Regular Session
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. B. No.

A B I L L

To amend sections 2743.51, 2743.59, and 2743.66 and 1
to enact sections 3333.27 and 5111.82 of the 2
Revised Code to award at least twenty-five 3
thousand dollars per year from the court of claims 4
victims of crime fund to any survivor of abduction 5
who was abducted for a period of eight years or 6
more; to award free tuition at any state 7
university or college to any such survivor of 8
abduction; to seek a waiver from the United States 9
Secretary of Health and Human Services for medical 10
assistance to be provided for any such survivor of 11
abduction for the duration of the survivor's 12
lifetime; and to name the provisions of this bill 13
the Michelle Knight, Amanda Berry, and Gina 14
DeJesus Survivors of Abduction Act. 15

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2743.51, 2743.59, and 2743.66 be 16
amended and sections 3333.27 and 5111.82 of the Revised Code be 17
enacted to read as follows: 18

Sec. 2743.51. As used in sections 2743.51 to 2743.72 of the 19
Revised Code: 20

(A) "Claimant" means both of the following categories of 21

persons:	22
(1) Any of the following persons who claim an award of	23
reparations under sections 2743.51 to 2743.72 of the Revised Code:	24
(a) A victim who was one of the following at the time of the	25
criminally injurious conduct:	26
(i) A resident of the United States;	27
(ii) A resident of a foreign country the laws of which permit	28
residents of this state to recover compensation as victims of	29
offenses committed in that country.	30
(b) A dependent of a deceased victim who is described in	31
division (A) (1) (a) of this section;	32
(c) A third person, other than a collateral source, who	33
legally assumes or voluntarily pays the obligations of a victim,	34
or of a dependent of a victim, who is described in division	35
(A) (1) (a) of this section, which obligations are incurred as a	36
result of the criminally injurious conduct that is the subject of	37
the claim and may include, but are not limited to, medical or	38
burial expenses;	39
(d) A person who is authorized to act on behalf of any person	40
who is described in division (A) (1) (a), (b), or (c) of this	41
section;	42
(e) The estate of a deceased victim who is described in	43
division (A) (1) (a) of this section.	44
(2) Any of the following persons who claim an award of	45
reparations under sections 2743.51 to 2743.72 of the Revised Code:	46
(a) A victim who had a permanent place of residence within	47
this state at the time of the criminally injurious conduct and	48
who, at the time of the criminally injurious conduct, complied	49
with any one of the following:	50
(i) Had a permanent place of employment in this state;	51

(ii) Was a member of the regular armed forces of the United States or of the United States coast guard or was a full-time member of the Ohio organized militia or of the United States army reserve, naval reserve, or air force reserve;

(iii) Was retired and receiving social security or any other retirement income;

(iv) Was sixty years of age or older;

(v) Was temporarily in another state for the purpose of receiving medical treatment;

(vi) Was temporarily in another state for the purpose of performing employment-related duties required by an employer located within this state as an express condition of employment or employee benefits;

(vii) Was temporarily in another state for the purpose of receiving occupational, vocational, or other job-related training or instruction required by an employer located within this state as an express condition of employment or employee benefits;

(viii) Was a full-time student at an academic institution, college, or university located in another state;

(ix) Had not departed the geographical boundaries of this state for a period exceeding thirty days or with the intention of becoming a citizen of another state or establishing a permanent place of residence in another state.

(b) A dependent of a deceased victim who is described in division (A) (2) (a) of this section;

(c) A third person, other than a collateral source, who legally assumes or voluntarily pays the obligations of a victim, or of a dependent of a victim, who is described in division (A) (2) (a) of this section, which obligations are incurred as a result of the criminally injurious conduct that is the subject of

the claim and may include, but are not limited to, medical or 82
burial expenses; 83

(d) A person who is authorized to act on behalf of any person 84
who is described in division (A) (2) (a), (b), or (c) of this 85
section; 86

(e) The estate of a deceased victim who is described in 87
division (A) (2) (a) of this section. 88

(B) "Collateral source" means a source of benefits or 89
advantages for economic loss otherwise reparable that the victim 90
or claimant has received, or that is readily available to the 91
victim or claimant, from any of the following sources: 92

(1) The offender; 93

(2) The government of the United States or any of its 94
agencies, a state or any of its political subdivisions, or an 95
instrumentality of two or more states, unless the law providing 96
for the benefits or advantages makes them excess or secondary to 97
benefits under sections 2743.51 to 2743.72 of the Revised Code; 98

(3) Social security, medicare, and medicaid; 99

(4) State-required, temporary, nonoccupational disability 100
insurance; 101

(5) Workers' compensation; 102

(6) Wage continuation programs of any employer; 103

(7) Proceeds of a contract of insurance payable to the victim 104
for loss that the victim sustained because of the criminally 105
injurious conduct; 106

(8) A contract providing prepaid hospital and other health 107
care services, or benefits for disability; 108

(9) That portion of the proceeds of all contracts of 109
insurance payable to the claimant on account of the death of the 110

victim that exceeds fifty thousand dollars; 111

(10) Any compensation recovered or recoverable under the laws 112
of another state, district, territory, or foreign country because 113
the victim was the victim of an offense committed in that state, 114
district, territory, or country. 115

"Collateral source" does not include any money, or the 116
monetary value of any property, that is subject to sections 117
2969.01 to 2969.06 of the Revised Code or that is received as a 118
benefit from the Ohio public safety officers death benefit fund 119
created by section 742.62 of the Revised Code. 120

(C) "Criminally injurious conduct" means one of the 121
following: 122

(1) For the purposes of any person described in division 123
(A) (1) of this section, any conduct that occurs or is attempted in 124
this state; poses a substantial threat of personal injury or 125
death; and is punishable by fine, imprisonment, or death, or would 126
be so punishable but for the fact that the person engaging in the 127
conduct lacked capacity to commit the crime under the laws of this 128
state. Criminally injurious conduct does not include conduct 129
arising out of the ownership, maintenance, or use of a motor 130
vehicle, except when any of the following applies: 131

(a) The person engaging in the conduct intended to cause 132
personal injury or death; 133

(b) The person engaging in the conduct was using the vehicle 134
to flee immediately after committing a felony or an act that would 135
constitute a felony but for the fact that the person engaging in 136
the conduct lacked the capacity to commit the felony under the 137
laws of this state; 138

(c) The person engaging in the conduct was using the vehicle 139
in a manner that constitutes an OVI violation; 140

(d) The conduct occurred on or after July 25, 1990, and the person engaging in the conduct was using the vehicle in a manner that constitutes a violation of section 2903.08 of the Revised Code;

(e) The person engaging in the conduct acted in a manner that caused serious physical harm to a person and that constituted a violation of section 4549.02 or 4549.021 of the Revised Code.

(2) For the purposes of any person described in division (A)(2) of this section, any conduct that occurs or is attempted in another state, district, territory, or foreign country; poses a substantial threat of personal injury or death; and is punishable by fine, imprisonment, or death, or would be so punishable but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of the state, district, territory, or foreign country in which the conduct occurred or was attempted. Criminally injurious conduct does not include conduct arising out of the ownership, maintenance, or use of a motor vehicle, except when any of the following applies:

(a) The person engaging in the conduct intended to cause personal injury or death;

(b) The person engaging in the conduct was using the vehicle to flee immediately after committing a felony or an act that would constitute a felony but for the fact that the person engaging in the conduct lacked the capacity to commit the felony under the laws of the state, district, territory, or foreign country in which the conduct occurred or was attempted;

(c) The person engaging in the conduct was using the vehicle in a manner that constitutes an OVI violation;

(d) The conduct occurred on or after July 25, 1990, the person engaging in the conduct was using the vehicle in a manner that constitutes a violation of any law of the state, district,

territory, or foreign country in which the conduct occurred, and 172
that law is substantially similar to a violation of section 173
2903.08 of the Revised Code; 174

(e) The person engaging in the conduct acted in a manner that 175
caused serious physical harm to a person and that constituted a 176
violation of any law of the state, district, territory, or foreign 177
country in which the conduct occurred, and that law is 178
substantially similar to section 4549.02 or 4549.021 of the 179
Revised Code. 180

(3) For the purposes of any person described in division 181
(A) (1) or (2) of this section, terrorism that occurs within or 182
outside the territorial jurisdiction of the United States. 183

(D) "Dependent" means an individual wholly or partially 184
dependent upon the victim for care and support, and includes a 185
child of the victim born after the victim's death. 186

(E) "Economic loss" means economic detriment consisting only 187
of allowable expense, work loss, funeral expense, unemployment 188
benefits loss, replacement services loss, cost of crime scene 189
cleanup, and cost of evidence replacement. If criminally injurious 190
conduct causes death, economic loss includes a dependent's 191
economic loss and a dependent's replacement services loss. 192
Noneconomic detriment is not economic loss; however, economic loss 193
may be caused by pain and suffering or physical impairment. 194

(F) (1) "Allowable expense" means reasonable charges incurred 195
for reasonably needed products, services, and accommodations, 196
including those for medical care, rehabilitation, rehabilitative 197
occupational training, and other remedial treatment and care and 198
including replacement costs for hearing aids; dentures, retainers, 199
and other dental appliances; canes, walkers, and other mobility 200
tools; and eyeglasses and other corrective lenses. It does not 201
include that portion of a charge for a room in a hospital, clinic, 202

convalescent home, nursing home, or any other institution engaged 203
in providing nursing care and related services in excess of a 204
reasonable and customary charge for semiprivate accommodations, 205
unless accommodations other than semiprivate accommodations are 206
medically required. 207

(2) An immediate family member of a victim of criminally 208
injurious conduct that consists of a homicide, a sexual assault, 209
domestic violence, or a severe and permanent incapacitating injury 210
resulting in paraplegia or a similar life-altering condition, who 211
requires psychiatric care or counseling as a result of the 212
criminally injurious conduct, may be reimbursed for that care or 213
counseling as an allowable expense through the victim's 214
application. The cumulative allowable expense for care or 215
counseling of that nature shall not exceed two thousand five 216
hundred dollars for each immediate family member of a victim of 217
that type and seven thousand five hundred dollars in the aggregate 218
for all immediate family members of a victim of that type. 219

(3) A family member of a victim who died as a proximate 220
result of criminally injurious conduct may be reimbursed as an 221
allowable expense through the victim's application for wages lost 222
and travel expenses incurred in order to attend criminal justice 223
proceedings arising from the criminally injurious conduct. The 224
cumulative allowable expense for wages lost and travel expenses 225
incurred by a family member to attend criminal justice proceedings 226
shall not exceed five hundred dollars for each family member of 227
the victim and two thousand dollars in the aggregate for all 228
family members of the victim. 229

(4)(a) "Allowable expense" includes reasonable expenses and 230
fees necessary to obtain a guardian's bond pursuant to section 231
2109.04 of the Revised Code when the bond is required to pay an 232
award to a fiduciary on behalf of a minor or other incompetent. 233

(b) "Allowable expense" includes attorney's fees not 234

exceeding one thousand dollars, at a rate not exceeding one 235
hundred dollars per hour, incurred to successfully obtain a 236
restraining order, custody order, or other order to physically 237
separate a victim from an offender. Attorney's fees for the 238
services described in this division may include an amount for 239
reasonable travel time incurred to attend court hearings, not 240
exceeding three hours_ round-trip for each court hearing, assessed 241
at a rate not exceeding thirty dollars per hour. 242

(G) "Work loss" means loss of income from work that the 243
injured person would have performed if the person had not been 244
injured and expenses reasonably incurred by the person to obtain 245
services in lieu of those the person would have performed for 246
income, reduced by any income from substitute work actually 247
performed by the person, or by income the person would have earned 248
in available appropriate substitute work that the person was 249
capable of performing but unreasonably failed to undertake. 250

(H) "Replacement services loss" means expenses reasonably 251
incurred in obtaining ordinary and necessary services in lieu of 252
those the injured person would have performed, not for income, but 253
for the benefit of the person's self or family, if the person had 254
not been injured. 255

(I) "Dependent's economic loss" means loss after a victim's 256
death of contributions of things of economic value to the victim's 257
dependents, not including services they would have received from 258
the victim if the victim had not suffered the fatal injury, less 259
expenses of the dependents avoided by reason of the victim's 260
death. If a minor child of a victim is adopted after the victim's 261
death, the minor child continues after the adoption to incur a 262
dependent's economic loss as a result of the victim's death. If 263
the surviving spouse of a victim remarries, the surviving spouse 264
continues after the remarriage to incur a dependent's economic 265
loss as a result of the victim's death. 266

(J) "Dependent's replacement services loss" means loss 267
reasonably incurred by dependents after a victim's death in 268
obtaining ordinary and necessary services in lieu of those the 269
victim would have performed for their benefit if the victim had 270
not suffered the fatal injury, less expenses of the dependents 271
avoided by reason of the victim's death and not subtracted in 272
calculating the dependent's economic loss. If a minor child of a 273
victim is adopted after the victim's death, the minor child 274
continues after the adoption to incur a dependent's replacement 275
services loss as a result of the victim's death. If the surviving 276
spouse of a victim remarries, the surviving spouse continues after 277
the remarriage to incur a dependent's replacement services loss as 278
a result of the victim's death. 279

(K) "Noneconomic detriment" means pain, suffering, 280
inconvenience, physical impairment, or other nonpecuniary damage. 281

(L) "Victim" means a person who suffers personal injury or 282
death as a result of any of the following: 283

(1) Criminally injurious conduct; 284

(2) The good faith effort of any person to prevent criminally 285
injurious conduct; 286

(3) The good faith effort of any person to apprehend a person 287
suspected of engaging in criminally injurious conduct. 288

(M) "Contributory misconduct" means any conduct of the 289
claimant or of the victim through whom the claimant claims an 290
award of reparations that is unlawful or intentionally tortious 291
and that, without regard to the conduct's proximity in time or 292
space to the criminally injurious conduct, has a causal 293
relationship to the criminally injurious conduct that is the basis 294
of the claim. 295

(N) (1) "Funeral expense" means any reasonable charges that 296
are not in excess of seven thousand five hundred dollars per 297

funeral and that are incurred for expenses directly related to a 298
victim's funeral, cremation, or burial and any wages lost or 299
travel expenses incurred by a family member of a victim in order 300
to attend the victim's funeral, cremation, or burial. 301

(2) An award for funeral expenses shall be applied first to 302
expenses directly related to the victim's funeral, cremation, or 303
burial. An award for wages lost or travel expenses incurred by a 304
family member of the victim shall not exceed five hundred dollars 305
for each family member and shall not exceed in the aggregate the 306
difference between seven thousand five hundred dollars and 307
expenses that are reimbursed by the program and that are directly 308
related to the victim's funeral, cremation, or burial. 309

(O) "Unemployment benefits loss" means a loss of unemployment 310
benefits pursuant to Chapter 4141. of the Revised Code when the 311
loss arises solely from the inability of a victim to meet the able 312
to work, available for suitable work, or the actively seeking 313
suitable work requirements of division (A) (4) (a) of section 314
4141.29 of the Revised Code. 315

(P) "OVI violation" means any of the following: 316

(1) A violation of section 4511.19 of the Revised Code, of 317
any municipal ordinance prohibiting the operation of a vehicle 318
while under the influence of alcohol, a drug of abuse, or a 319
combination of them, or of any municipal ordinance prohibiting the 320
operation of a vehicle with a prohibited concentration of alcohol, 321
a controlled substance, or a metabolite of a controlled substance 322
in the whole blood, blood serum or plasma, breath, or urine; 323

(2) A violation of division (A) (1) of section 2903.06 of the 324
Revised Code; 325

(3) A violation of division (A) (2), (3), or (4) of section 326
2903.06 of the Revised Code or of a municipal ordinance 327
substantially similar to any of those divisions, if the offender 328

was under the influence of alcohol, a drug of abuse, or a 329
combination of them, at the time of the commission of the offense; 330

(4) For purposes of any person described in division (A) (2) 331
of this section, a violation of any law of the state, district, 332
territory, or foreign country in which the criminally injurious 333
conduct occurred, if that law is substantially similar to a 334
violation described in division (P) (1) or (2) of this section or 335
if that law is substantially similar to a violation described in 336
division (P) (3) of this section and the offender was under the 337
influence of alcohol, a drug of abuse, or a combination of them, 338
at the time of the commission of the offense. 339

(Q) "Pendency of the claim" for an original reparations 340
application or supplemental reparations application means the 341
period of time from the date the criminally injurious conduct upon 342
which the application is based occurred until the date a final 343
decision, order, or judgment concerning that original reparations 344
application or supplemental reparations application is issued. 345

(R) "Terrorism" means any activity to which all of the 346
following apply: 347

(1) The activity involves a violent act or an act that is 348
dangerous to human life. 349

(2) The act described in division (R) (1) of this section is 350
committed within the territorial jurisdiction of the United States 351
and is a violation of the criminal laws of the United States, this 352
state, or any other state or the act described in division (R) (1) 353
of this section is committed outside the territorial jurisdiction 354
of the United States and would be a violation of the criminal laws 355
of the United States, this state, or any other state if committed 356
within the territorial jurisdiction of the United States. 357

(3) The activity appears to be intended to do any of the 358
following: 359

(a) Intimidate or coerce a civilian population;	360
(b) Influence the policy of any government by intimidation or coercion;	361 362
(c) Affect the conduct of any government by assassination or kidnapping.	363 364
(4) The activity occurs primarily outside the territorial jurisdiction of the United States or transcends the national boundaries of the United States in terms of the means by which the activity is accomplished, the person or persons that the activity appears intended to intimidate or coerce, or the area or locale in which the perpetrator or perpetrators of the activity operate or seek asylum.	365 366 367 368 369 370 371
(S) "Transcends the national boundaries of the United States" means occurring outside the territorial jurisdiction of the United States in addition to occurring within the territorial jurisdiction of the United States.	372 373 374 375
(T) "Cost of crime scene cleanup" means any of the following:	376
(1) The replacement cost for items of clothing removed from a victim in order to make an assessment of possible physical harm or to treat physical harm;	377 378 379
(2) Reasonable and necessary costs of cleaning the scene and repairing, for the purpose of personal security, property damaged at the scene where the criminally injurious conduct occurred, not to exceed seven hundred fifty dollars in the aggregate per claim.	380 381 382 383
(U) "Cost of evidence replacement" means costs for replacement of property confiscated for evidentiary purposes related to the criminally injurious conduct, not to exceed seven hundred fifty dollars in the aggregate per claim.	384 385 386 387
(V) "Provider" means any person who provides a victim or claimant with a product, service, or accommodations that are an	388 389

allowable expense or a funeral expense. 390

(W) "Immediate family member" means an individual who resided 391
in the same permanent household as a victim at the time of the 392
criminally injurious conduct and who is related to the victim by 393
affinity or consanguinity. 394

(X) "Family member" means an individual who is related to a 395
victim by affinity or consanguinity. 396

(Y) "Survivor of abduction" means a person who is the victim 397
of a violation of section 2905.02 of the Revised Code and who has 398
been restrained or held in a condition of involuntary servitude 399
for a period of at least eight years and who subsequently regains 400
freedom. "Survivor of abduction" includes any child born as a 401
proximate result of a violation of section 2905.02 of the Revised 402
Code to the person who was the victim of that violation and who is 403
a survivor of abduction. 404

Sec. 2743.59. (A) The attorney general shall fully 405
investigate a claim for an award of reparations, regardless of 406
whether any person is prosecuted for or convicted of committing 407
the criminally injurious conduct alleged in the application. After 408
completing the investigation, the attorney general shall make a 409
written finding of fact and decision concerning an award of 410
reparations. 411

(B) (1) The attorney general may require the claimant to 412
supplement the application for an award of reparations with any 413
further information or documentary materials, including any 414
medical report readily available, that may lead to any relevant 415
facts in the determination of whether, and the extent to which, a 416
claimant qualifies for an award of reparations. The attorney 417
general may depose any witness, including the claimant, pursuant 418
to Civil Rules 28, 30, and 45. 419

(2) (a) For the purpose of determining whether, and the extent
to which, a claimant qualifies for an award of reparations, the
attorney general may issue subpoenas and subpoenas duces tecum to
compel any person or entity, including any collateral source, that
provided, will provide, or would have provided to the victim any
income, benefit, advantage, product, service, or accommodation,
including any medical care or other income, benefit, advantage,
product, service, or accommodation that might qualify as an
allowable expense or a funeral expense, to produce materials to
the attorney general that are relevant to the income, benefit,
advantage, product, service, or accommodation that was, will be,
or would have been so provided and to the attorney general's
determination.

(b) If the attorney general issues a subpoena or subpoena
duces tecum under division (B) (2) (a) of this section and if the
materials that the attorney general requires to be produced are
located outside this state, the attorney general may designate one
or more representatives, including officials of the state in which
the materials are located, to inspect the materials on the
attorney general's behalf, and the attorney general may respond to
similar requests from officials of other states. The person or
entity subpoenaed may make the materials available to the attorney
general at a convenient location within the state.

(c) At any time before the return day specified in the
subpoena or subpoena duces tecum issued under division (B) (2) (a)
of this section or within twenty days after the subpoena or
subpoena duces tecum has been served, whichever period is shorter,
the person or entity subpoenaed may file with a judge of the court
of claims a petition to extend the return day or to modify or
quash the subpoena or subpoena duces tecum. The petition shall
state good cause.

(d) A person or entity who is subpoenaed under division

(B) (2) (a) of this section shall comply with the terms of the 452
subpoena or subpoena duces tecum unless otherwise provided by an 453
order of a judge of the court of claims entered prior to the day 454
for return contained in the subpoena or as extended by the court. 455
If a person or entity fails without lawful excuse to obey a 456
subpoena or subpoena duces tecum issued under division (B) (2) (a) 457
of this section or to produce relevant materials, the attorney 458
general may apply to a judge of the court of claims for and obtain 459
an order adjudging the person or entity in contempt of court. 460

(C) The finding of fact and decision that is issued by the 461
attorney general pursuant to division (A) of this section shall 462
contain all of the following: 463

(1) Whether the criminally injurious conduct that is the 464
basis for the application did occur, the date on which the conduct 465
occurred, and the exact nature of the conduct; 466

(2) Whether the criminally injurious conduct was reported to 467
a law enforcement officer or agency, the date on which the conduct 468
was reported, the name of the person who reported the conduct, and 469
the reasons why the conduct was not reported to a law enforcement 470
officer or agency; 471

(3) The exact nature of the injuries that the victim 472
sustained as a result of the criminally injurious conduct; 473

(4) A specific list of the economic loss that was sustained 474
as a result of the criminally injurious conduct by the victim, the 475
claimant, or a dependent; 476

(5) A specific list of any benefits or advantages that the 477
victim, the claimant, or a dependent has received or is entitled 478
to receive from any collateral source for economic loss that 479
resulted from the conduct and whether a collateral source would 480
have reimbursed the claimant for a particular expense if a timely 481
claim had been made, and the extent to which the expenses likely 482

would have been reimbursed by the collateral source; 483

(6) A description of any evidence in support of contributory 484
misconduct by the claimant or by the victim through whom the 485
claimant claims an award of reparations, whether the victim has 486
been convicted of a felony or has a record of felony arrests under 487
the laws of this state, another state, or the United States, 488
whether disqualifying conditions exist under division (E) of 489
section 2743.60 of the Revised Code, and whether there is evidence 490
that the victim engaged in an ongoing course of criminal conduct 491
within five years or less of the criminally injurious conduct that 492
is the subject of the claim; 493

(7) Whether the victim of the criminally injurious conduct 494
was a minor; 495

(8) If the victim of the criminally injurious conduct was a 496
minor, whether a complaint, indictment, or information was filed 497
against the alleged offender and, if such a filing occurred, its 498
date; 499

(9) Any information that is relevant to the claim for an 500
award of reparations. 501

(D) The decision that is issued by the attorney general 502
pursuant to division (A) of this section shall contain all of the 503
following: 504

(1) A statement as to whether a claimant is eligible for an 505
award of reparations, whether payments made pursuant to the award 506
are to be made to the claimant, to a provider, or jointly to the 507
claimant and a provider, and the amount of the payments to the 508
claimant or provider; 509

(2) A statement as to whether any of the payments made 510
pursuant to the award should be paid in a lump sum or in 511
installments; 512

(3) If the attorney general decides that an award not be made 513
to the claimant, the reasons for that decision. 514

(E) The attorney general shall make a written finding of fact 515
and decision in accordance with sections 2743.51 to 2743.72 of the 516
Revised Code within one hundred twenty days after receiving the 517
claim application. The attorney general may extend the 518
one-hundred-twenty-day time limit and shall record in writing 519
specific reasons to justify the extension. The attorney general 520
shall notify the claimant of the extension and of the reasons for 521
the extension. The attorney general shall serve a copy of its 522
written finding of fact and decision upon the claimant. 523

(F) If, after conducting the investigation required under 524
division (A) of this section, the attorney general finds that the 525
person who has submitted a claim for an award of reparations is a 526
survivor of abduction, the attorney general shall include within 527
the attorney general's decision a statement that the person shall 528
receive at least twenty-five thousand dollars, payable once per 529
year, for a period of years lasting at least the number of years 530
that the person was restrained or held in a condition of 531
involuntary servitude. This division and the related provisions in 532
division (Y) of section 2743.51, division (F) of section 2743.66, 533
and sections 3333.27 and 5111.82 of the Revised Code shall be 534
known as the Michelle Knight, Amanda Berry, and Gina DeJesus 535
Survivors of Abduction Act. 536

Sec. 2743.66. (A) A Except as provided in division (F) of 537
this section, a decision of the attorney general, order of a court 538
of claims panel of commissioners, or judgment of a judge of the 539
court of claims granting an award of reparations may provide for 540
the payment of the award in a lump sum or in installments. The 541
part of an award equal to the amount of economic loss accrued to 542
the date of the award shall be paid in a lump sum. An award for 543

allowable expense that would accrue after the award is made shall 544
not be paid in a lump sum. Except as provided in division (B) of 545
this section, the part of an award not paid in a lump sum shall be 546
paid in installments. 547

(B) Upon the motion of the claimant, the attorney general may 548
commute future economic loss, other than allowable expense, to a 549
lump sum but only upon a finding that either of the following 550
applies: 551

(1) The award in a lump sum will promote the interests of the 552
claimant. 553

(2) The present value of all future economic loss, other than 554
allowable expense, does not exceed one thousand dollars. 555

(C) The attorney general may make an award for future 556
economic loss payable in installments only for a period as to 557
which future economic loss reasonably can be determined. An award 558
for future economic loss payable in installments may be 559
reconsidered and modified upon a finding that a material and 560
substantial change of circumstances has occurred. 561

(D) An award is not subject to execution, attachment, 562
garnishment, or other process, except that, upon receipt of an 563
award by a claimant: 564

(1) The part of the award that is for allowable expense or 565
funeral expense is not exempt from such action by a creditor to 566
the extent that the creditor provided products, services, or 567
accommodations the costs of which are included in the award. 568

(2) The part of the award that is for work loss shall not be 569
exempt from such action to secure payment of spousal support, 570
other maintenance, or child support. 571

(3) The attorney general may recover the award pursuant to 572
section 2743.72 of the Revised Code if it is discovered that the 573

claimant actually was not eligible for the award or that the award
otherwise should not have been made under the standards and
criteria set forth in sections 2743.51 to 2743.72 of the Revised
Code.

(4) If the claimant receives compensation from any other
person or entity, including a collateral source, for an expense
that is included within the award, the attorney general may
recover pursuant to section 2743.72 of the Revised Code the part
of the award that represents the expense for which the claimant
received the compensation from the other person or entity.

(E) If a person entitled to an award of reparations is under
eighteen years of age and if the amount of the award exceeds one
thousand dollars, the order providing for the payment of the award
shall specify that the award be paid either to the guardian of the
estate of the minor appointed pursuant to Chapter 2111. of the
Revised Code or to the person or depository designated by the
probate court under section 2111.05 of the Revised Code. If a
person entitled to an award of reparations is under eighteen years
of age and if the amount of the award is one thousand dollars or
less, the order providing for the payment of the award may specify
that the award be paid to an adult member of the family of the
minor who is legally responsible for the minor's care or to any
other person designated by the attorney general or panel of
commissioners issuing the decision or order.

(F) The payment of an award of reparations to a survivor of
abduction shall be paid in installments of twenty-five thousand
dollars, once per year for a period of years lasting at least the
number of years that the person was restrained or held in a
condition of involuntary servitude.

Sec. 3333.27. (A) Any person who is a survivor of abduction
and who is admitted to any state university or college, community

college, state community college, university branch, or technical 605
college shall not be required to pay any tuition or any student 606
fee for up to five academic years of education at the 607
undergraduate level. Additionally, the chancellor of the board of 608
regents shall appropriate to the state university or college, 609
community college, state community college, university branch, or 610
technical college to which a survivor of abduction enrolls an 611
amount sufficient to cover living expenses for the survivor of 612
abduction, to be disbursed each semester by the state university 613
or college, community college, state community college, university 614
branch, or technical college directly to the survivor of 615
abduction. 616

(B) As used in this section: 617

(1) "Survivor of abduction" has the same meaning as in 618
section 2743.51 of the Revised Code. 619

(2) "State university or college" has the same meaning as in 620
section 3345.12 of the Revised Code. 621

Sec. 5111.82. The medical assistance director shall submit a 622
request to the United States secretary of health and human 623
services for approval of a waiver under which medical assistance 624
is provided to each individual who is a survivor of abduction, as 625
defined in section 2743.51 of the Revised Code, for the duration 626
of the individual's life. 627

Section 2. That existing sections 2743.51, 2743.59, and 628
2743.66 of the Revised Code are hereby repealed. 629